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*Attorneys for Plaintiff*  
**ALBERT RICHARDS**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

ALBERT RICHARDS,  
Plaintiff,  
v.  
CENTRIPETAL NETWORKS, LLC f/k/a  
CENTRIPETAL NETWORKS, INC.; STEVEN  
ROGERS; JONATHAN ROGERS; and JOHN  
DOES 1-10,  
Defendants.

Case No.: 4:23-cv-00145-HSG

**STIPULATION AND ORDER TO EXTEND  
TIME TO OPPOSE AND REPLY TO  
DEFENDANTS' MOTION TO DISMISS**

Civil L.R. 6-1(b), 6-2, 7-12

1 Pursuant to Civil Local Rules 6-1(b), 6-2, and 7-12, Plaintiff Albert Richards (“Plaintiff”) and  
 2 Defendants Centripetal Networks, Inc., Steven Rogers and Jonathan Rogers (collectively,  
 3 “Defendants”) stipulate as follows:

4 Defendants filed a Motion to Dismiss Plaintiff’s First Amended Complaint on April 5, 2023  
 5 (Docket No. 35). Defendants noticed the motion for hearing on July 6, 2023. *Id.*

6 Under the Federal Rules of Civil Procedure, Plaintiff’s Opposition to that Motion would  
 7 ordinarily be due on April 19, 2023, and Defendants’ Reply would be due on April 26, 2023. Fed. R.  
 8 Civ. P. 6; Civ. L.R. 7-3(a), 7-3(c). (The Federal Rules customarily give the Court one week to review  
 9 a fully-briefed motion prior to hearing.)

10 Under those deadlines, there are 71 days (more than 10 weeks) between the hearing and the  
 11 date on which the motion will be fully briefed. The parties have met and conferred, and agreed that  
 12 the Opposition and Reply deadlines can be extended, while also providing the Court much more than  
 13 the customary seven days before hearing to consider the fully-briefed motion.

14 The parties have therefore agreed that:

- 15 • Plaintiff may file his Opposition to Motion to Dismiss no later than **May 19, 2023**;
- 16 • Defendants may file their Reply in Support of Motion to Dismiss no later than **June 15,**  
 17 **2023**.

18 As a courtesy to Defendants, Plaintiff agrees to exercise best efforts to file no later than 2:00  
 19 pm Pacific time on May 19.

20 The parties do not request any modification to the July 6, 2023 hearing date, and the proposed  
 21 extensions will not alter the date of any event or deadline already fixed by Court order.

22 There have been three previous time modifications in this case: (1) extending the time to  
 23 respond to the Complaint and Defendants’ Administrative Motion to Seal (Docket No. 12, filed  
 24 1/31/23); (2) extending the dates for briefing on Defendants’ original motion to dismiss in a similar  
 25 fashion to the relief the parties request here (Docket No. 23, filed 2/2/23); and (3) continuing the initial  
 26 CMC and related discovery deadlines, in light of Defendants’ original motion to dismiss (Docket No.  
 27 25, filed 3/13/23).

1           **IT IS SO STIPULATED.**

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3           Dated: April 18, 2023

LEWIS & LLEWELLYN LLP

4           By: *s/Kenneth M. Walczak*

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5           Marc R. Lewis  
6           Kenneth M. Walczak

7           Attorneys for Plaintiff  
8           ALBERT RICHARDS

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10          Dated: April 18, 2023

KRAMER LEVIN NAFTALIS & FRANKEL LLP

11          By: *s/Jonathan Wagner*

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12          Jonathan Wagner

13          ROPERS MAJESKI PC

14          Todd A. Roberts  
15          Martin D. Dioli

16          Attorneys for Defendants  
17          CENTRIPETAL NETWORKS, LLC, JONATHAN  
18          ROGERS, AND STEVEN ROGERS

## ORDER

Having reviewed the parties' stipulation, and good cause appearing therefor, the Court orders as follows:

- Plaintiff may file an Opposition brief to Defendants' Motion to Dismiss the First Amended Complaint no later than **May 19, 2023**;
  - Defendants may file their Reply in Support of Motion to Dismiss, if any, no later than **June 15, 2023**.

The hearing on Defendants' Motion to Dismiss remains set for July 6, 2023, at 2:00 pm.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 4/19/2023

Hon. Haywood S. Gilliam, Jr.  
JUDGE, UNITED STATES DISTRICT COURT